

1 David S. Casey, Jr., SBN 060768
dcasey@cglaw.com
2 Thomas D. Luneau, SBN 145804
tdl@cglaw.com
3 CASEY GERRY SCHENK
FRANCAVILLA BLATT & PENFIELD, LLP
4 110 Laurel Street
San Diego, CA 92101
5 Telephone: (619) 238-1811
Facsimile: (619) 544-9232
6

7 Attorneys for Plaintiff
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9 UNITED STATES DISTRICT COURT
10 SOUTHERN DISTRICT OF CALIFORNIA
11

12 JACOB GREGOIRE,

13 Plaintiff,

14 v.

15 CALIFORNIA HIGHWAY PATROL, an
agency of the State of California;
16 SERGIO FLORES, and DOES 1 to 20,
17 Defendants.
18

CASE NO. 14-cv-1749-GPC (DHB)

Judge: Hon. Gonzalo P. Curiel
Dept: 2D

DECLARATION OF JUSTIN
HUTTON

Date: January 29, 2016
Time: 1:30 p.m.

19 I, JUSTIN HUTTON, declare as follows:

20 1. I make the following declaration of my own knowledge, and if called as a
21 witness in the above-captioned matter, I could testify competently thereto.

22 2. My date of birth is 1/11/1987.

23 3. I have been an EMT for three years. On February 4, 2014 at 9:30 at
24 night, I was in my private vehicle with my girlfriend at the time, Korri E. Mitchell,
25 when I came upon the scene of a traffic collision.

26 4. I pulled my car into the center divider and began C-spine care of one of
27 the patients on the ground. The patient was bleeding. It was dark and there were no
28 street lights. The ground was wet and cold.

1 5. Korri Mitchell called 911. The CHP, ambulance, and firefighters all got
2 to the scene. I saw a fireman (later arrested) rendering aid to the other patient. I later
3 learned the name of the fireman was Jake Gregoire.

4 6. ^{was one patient standing, one on the}
~~There were two patients on the ground~~ and I watched Jacob "Jake"
5 Gregoire tending to patient #1 with other EMTs, preparing the C-spine for transfer to
6 the gurney. Jake was fully engaged in the care of patient #1 when a Latino CHP
7 officer approached Jake Gregoire and arrested him, putting him in handcuffs. Jake
8 was hands-on, 100 percent directly involved with patient care when he was placed
9 under arrest by the CHP officer. The gurney was in the low position prior to
10 packaging and moving the patient when this occurred. After the arrest, I was alone
11 with the second patient for about 10 minutes.

12 7. The Latino CHP officer never consulted with any firemen or EMTs about
13 the status of patient care before affecting this arrest. Jake Gregoire told CHP, "I am
14 treating patients here" when the CHP officer said, "I don't care about your patients,
15 you need to move." I was stunned by this statement. The CHP officer most certainly
16 delayed and obstructed care of both patients by arresting firefighter Gregoire at the
17 scene. During the conversation, the CHP officer ordered the fireman to take the truck
18 back to the fire station.

19 8. Again, I was in my own car in civilian clothing when I was tending to
20 patient #2 who was certainly unnerved by these circumstances. The patient asked me
21 a couple of times, "Where is the ^{...medic... (Female AMR medic)}
~~paramedic or EMT~~ that was helping me a moment
22 ago?" I reminded the patient that I was a fully certified, working ^{EMT-B}
~~paramedic~~ who had
23 come upon the scene.

24 9. I have been an EMT for three years and estimate that I have been on
25 hundreds of calls and have never seen anything like this before.

26 10. Because of the arrest of the fireman while he was obviously caring for a
27 patient, in my mind, jeopardized patient care. I lodged an official complaint with the
28 California Highway Patrol.

1 I declare under penalty of perjury under the laws of the State of California and
2 of the United States of America that the foregoing information is true and correct.

3 Executed on 05 Jan 2016, at San Diego, California.

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5 
6 JUSTIN HUTTON